

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2010-006105-001 DT

10/20/2010

HONORABLE JOHN R. HANNAH JR

CLERK OF THE COURT
Sa. Enteman
Deputy

STATE OF ARIZONA

LAURA J FREED

v.

JOSEPH M PRATICO (001)
DOB: 02/23/82

REBECCA S POTTER

APO-SENTENCINGS-CCC
APPEALS-CCC
AZ DOC
DISPOSITION CLERK-CSC
RFR
VICTIM SERVICES DIV-CA-CCC

SENTENCE - IMPRISONMENT AND PROBATION

8:55 a.m.

State's Attorney:	Laura Freed
Defendant's Attorney:	Rebecca Potter
Defendant:	Present
Court Reporter:	Gail Ferguson

LET THE RECORD REFLECT Dee Scott makes statements to the Court.

Count(s) 1: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily waived all pertinent constitutional and appellate rights and entered a plea of guilty.

Count(s) 2: WAIVER OF TRIAL: The Defendant knowingly, intelligently and voluntarily

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waived all pertinent constitutional and appellate rights and entered a plea of guilty.

IT IS THE JUDGMENT of the Court Defendant is guilty of the following:

OFFENSE: Count 1 AS AMENDED: AGGRAVATED ASSAULT
Class 3 FELONY

A.R.S. § 13-1203, 1204, 701, 702, 702.01, 801, 28-3001, 3304, 3305, 3315

Date of Offense: 10/05/08

Non Dangerous - Non Repetitive

OFFENSE: Count 2: LEAVING THE SCENE OF A SERIOUS INJURY ACCIDENT
Class 2 FELONY

A.R.S. § 28-661, 663, 3001, 3304, 3305, 3315, 13-701, 702, 702.01, 801

Date of Offense: 10/05/08

Non Dangerous - Non Repetitive

AS PUNISHMENT, IT IS ORDERED Defendant is sentenced to a term of imprisonment and is committed to the Arizona Department of Corrections as follows:

Count 1: 3.5 year(s) from 10/20/10

Presentence Incarceration Credit: 137 day(s)

Presumptive

Community Supervision: Count 1 - Waived pursuant to A.R.S. § 13-603(K) and 41-1604.07(D), due to the term of probation in CR2010-006105-001DT-COUNT 2.

In the event the Defendant is released by the Department of Corrections on a temporary release basis pursuant to A.R.S. §31-233, and a term of Community Supervision has been waived pursuant to A.R.S. §13-603(K), the length of probation shall be extended to include the time of Defendant's temporary release, pursuant to A.R.S. §13-901(B).

IT IS ORDERED suspending imposition of sentence and, under the supervision of the Adult Probation Department (APD), placing the defendant on probation for:

Count 2 Probation Term: 7 YEARS

Upon absolute discharge from prison for a separate offense in CR2010-006105-001DT-COUNT 1.

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Conditions of probation include the following:

Condition 16 - Restitution, Fines, and Fees:

PROBATION SERVICE FEE: Count 2 - \$10.00 per month.

ASSESSMENTS:

Count 2: Time payment fee pursuant to A.R.S. § 12-116 in the amount of \$20.00.

Count 2: PROBATION SURCHARGE: \$20.00.

Payment to commence on a date to be determined by APD and is due on the same day of each month thereafter until paid in full.

All amounts payable through the Clerk of the Superior Court.

The Court will retain jurisdiction over restitution. A restitution hearing is set for November 22, 2010 at 10:30 a.m. before this division..

The Arizona Department of Corrections shall notify the Clerk of the Court of Maricopa County of Defendant's release from custody via e-mail cforesponse@mail.maricopa.gov. The Clerk of the Court, upon said notification, shall furnish financial information for a Criminal Restitution Order for Judicial signature for any unpaid monies to date.

Condition 17 - Not consume or drink any substance containing alcohol.

Condition 18 - Not have any contact with the victim(s) whatsoever, unless approved in writing by the Adult Probation Department.

Condition 24 - Participate and cooperate in any counseling or assistance as directed by the APD as noted in the Uniform Conditions of Supervised Probation.

IT IS ORDERED granting the Motion To Dismiss the following: allegation of dangerous.

Count(s) 1: IT IS ORDERED authorizing the Maricopa County Sheriff to deliver Defendant to the Arizona Department of Corrections.

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IT IS ORDERED the Clerk of the Superior Court remit to the Arizona Department of Corrections a copy of this Order or the Order of Confinement together with all presentence reports, probation violation reports, and medical and psychological reports that are not sealed in this cause relating to the Defendant.

Count(s) 2: IT IS FURTHER ORDERED Defendant be released from custody for this count only.

IT IS FURTHER ORDERED that Defendant must submit to DNA testing for law enforcement identification purposes and pay the applicable fee for the cost of that testing in accordance with A.R.S. § 13-610.

9:17 a.m. Matter concludes.

This case is eFiling eligible: <http://www.clerkofcourt.maricopa.gov/efiling/default.asp>

ISSUED: Order of Confinement - Certified Copy to DOC via MCSO

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Defendant's right index fingerprint is permanently affixed to this sentencing order in open court.

/s/ HONORABLE JOHN R. HANNAH JR
JUDGE OF THE SUPERIOR COURT

(right index fingerprint)